

Wiretap Probers Ask 4 Contempt Citations Against State Police

3/23/66
By SAUL KOHLER

Inquirer Harrisburg Bureau

HARRISBURG, March 22.—The legislative committee investigating the State Police voted unanimously Tuesday to seek contempt citations against four troopers — including Commissioner E. Wilson Purdy—who failed to appear because of a direct order by Gov.

William W. Scranton.

The unprecedented action must have the approval of the House of Representatives, and then the Commonwealth Court here. There is a possibility, however, that if the House votes its approval, the State Supreme Court might be asked to take original jurisdiction in the interest of a speedy determination of the issue.

'POLITICS' BARRED

The decision to test Scranton's order — which prohibits participation in the hearings by any State employee—was made at a 75-minute closed meeting of the committee, headed by Rep. Ronald G. Lench (D., Beaver).

In addition, the committee voted to ask both floor leaders, the chairmen of both State political parties, all candidates for State office and the Governor himself to "refrain from comment" on the State police wiretapping issue while the matter is before the courts.

"It is the intent of this committee that this not be a political football, but that the issue of the right of the Legislature to investigate the executive branch be settled in the courts," Lench said.

NEW DEVELOPMENTS

Meanwhile, there were these other developments in the State police matter:

—Attorney General Walter E. Alessandrini opened "negotiations" with Paul M. Chalfin, attorney for the State police detective who admitted on the witness stand under oath that he tapped telephones with the knowledge of his superior officers.

—Lench said the committee

would turn its attention to the manpower needs of the force while the legal determination is made on the wiretapping testimony. He said Purdy and others would be summoned again, and the Governor would have to decide whether to relax his order for this appearance.

—Rep. Herbert Fineman (D., Phila.), a member of the committee, said he would keep an appointment in Washington this week with counsel for the Senate subcommittee headed by Sens. Edward V. Long (D., Mo.). The group has spent more than a year probing the use of telephone tapping and other listening devices.

Contempt citations will be sought against Purdy, Deputy Commissioner Frank McKetta and Detectives Leo Moran, of regimental headquarters, and Albert G. Pfadt, of the Greensburg Barracks.

SLATE NEXT SESSION

Moran and Pfadt attended a "spy school" with Detective Angelo Carcaci, whose testimony and admissions from the witness stand on Feb. 22 broke the hearings wide open. Carcaci is on medical leave at his home in South Philadelphia.

"We will meet next Monday at 2 P. M. to hear the procedure for seeking a contempt citation," Lench said. "We are going to proceed with a determination of the right of the Legislature to investigate executive departments."

Although a simple majority of

Continued on Page 12, Column 4

Probers Seek 4 Citations

Continued from First Page

the House would be enough to authorize the committee to go to court, Lench said he hopes for a unanimous vote when the matter is brought up. The solidity of the committee indicates this is possible, he added. There are six Democrats and four Republicans on the investigating unit.

DECLINES COMMENT

If the House votes contempt proceedings, Speaker Robert K. Hamilton (D., Beaver) would draw up the citation and have it presented to the court.

Alessandroni said he could not comment in advance whether he would be in position to defend the four police officers, since they were obeying the Governor's order and are being squeezed between this and the power of the Legislature to summon a witness.

Lench said the committee "may" take similar action later against Maj. W. J. Stanton, former commander of the detective bureau, for taking the 5th Amendment 77 times before the committee.

This was before Scranton's order had been issued.

Stanton was Carcaci's com-

manding officer, and the detective said he broke the 1957 anti-wiretap law with Stanton's knowledge and under his orders.

Stanton has been relieved of his command and assigned "general duty" at the State Police Academy in Hershey.

"Right now, we are proceeding against the four men who refused to come before the committee," Lench said. "We may do the same with Major Stanton later."

WON'T LET ISSUE DIE

"As for the Governor, we don't see that he is a defendant in this issue, although his order obviously will be the main issue. Governor Scranton has not violated any subpoena."

Lench added that the wiretapping issue would not be permitted to "die" and that the committee would return to it after considering the manpower situation. The Administration is seeking 600 additional troopers for the 2285-man force.

Alessandroni and Chalfin met for more than an hour and said they would confer again later this week. Scranton ordered the justice department to interrogate Carcaci, but so far he has refused to answer questions by agents. Chalfin took over as his lawyer on Monday.

POSSIBLE COURT-MARTIAL

The former assistant district attorney of Philadelphia said the detective is able to answer the questions, but there are "three or four legal matters to be ironed out" before he decides whether Carcaci will submit to interrogation.

Neither man would comment on whether Chalfin is asking immunity from prosecution for his client if he answers voluntarily.

Should Carcaci refuse to reply, Alessandroni said, the only alternative is to proceed with court-martial action against him on the basis of what he told

the committee on Washington's birthday.

"We desire and are willing to cooperate 100 percent with the Attorney General," Chalfin said.

"But there are three or four very interesting legal questions to be ironed out here."

Alessandroni said the State Police wiretapping issue has "top priority in this office" and that Justice Department agents are working with Auditor General Grace M. Sloan in checking the police "confidential fund."

"All the allegations are being examined at some length," the Attorney General said. "We are interested in any evidence on whether the wiretapping took place and we will take it from any reliable source."

Alessandroni said Carcaci would not be returned to duty until after the investigation is completed.